

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DAVID J. HUDSON,

Civil Action No. 4:13-CV-3096

Plaintiff,

versus

NATIONAL OILWELL VARCO L.P.,

Defendant.

DEFENDANT NATIONAL OILWELL VARCO, L.P.'S ADR REPORT

Defendant National Oilwell Varco, L.P. ("NOV") files this ADR Report in accordance with the Court's September 23, 2014 Scheduling Order, and hereby states:

1) NOV believes ADR is not appropriate in this matter. Plaintiff David Hudson has not responded to several of NOV's discovery requests despite being ordered to do so. NOV continues to await complete discovery from Plaintiff after being made aware of the existence of several binders of documents that Plaintiff brought with him to his deposition. NOV has not yet completed Plaintiff's deposition as a result of the unresolved discovery deficiencies. These discovery deficiencies and the deposition proceedings lead NOV to believe that an attempt at resolving this case would be fruitless and cause an unnecessary expense.

2) ADR is also not appropriate because of NOV's currently pending Second Motion for Rule 37(b) Sanctions (R. Doc. 35), as well as Plaintiff's admissions at his deposition which support dismissal of his claims against NOV, to be presented in NOV's anticipated motion for summary judgment. Specifically, Plaintiff admitted at his deposition that he has been adjudicated by the Social Security Administration as totally disabled since the day before his last day worked at Defendant's facility, and has no explanation for how he would be entitled to recover under the theories presented in

his Complaint in light of that finding. Defendant will fully address this issue in its Motion for Summary Judgment, which is due to be filed on February 13, 2015. Because these issues should dispose of this case, NOV does not believe ADR would be fruitful and wishes to be excused from that process.

Respectfully submitted,

/s/ Jennifer L. Englander

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National Oilwell Varco, L.P.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing Defendant National Oilwell Varco, L.P.'s ADR Report has been served on the following counsel of record via the Court's Electronic Notification/Filing System:

R.T. Willis
205 E. San Augustine, Suite B
Deer Park, Texas 77536

This ____ day of January, 2015.

/s/ Jennifer L. Englander